IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 12TH FEBRUARY 2007 / 23RD MAGHA 1928

Crl.Rev.Pet.No. 2757 of 2004(D)

CRA.159/2003 of SESSIONS COURT, KOZHIKOE
CC.328/2001 of JUDL. MAGISTRATE OF FIRST CLASS-II, PERAMBRA

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REVN. PETITIONER: APPELLANT/ACCUSED

M.BALAN NAIR, S/O. GOVINDAN NAIR,
L.D.CLERK, MANNARATH VEEDU,
MOOLAD POST, KOTTURE, NADUVANNUR.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: RESPONDENS/COMPLAINANT AND STATE
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1. C.T.GOPINATHAN, S/O. GOPALAN NAIR,
NELLIYODE VEEDU, CHERUVANNURE POST,
MEPPAYUR VIA.

2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.K.RAKESH ROSHAN
SMT.THUSHARA.V
R2 BY PUBLIC PROSECUTORMR. AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 12/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.2757 of 2004

DATED THIS THE 12TH DAY OF FEBRUARY 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a sum of Rs.85,000/- as compensation under Section 357 Cr.P.C. and in default to undergo simple imprisonment for two months. Counsel for the revision petitioner has only sought for time to remit the amount for avoiding sentence of imprisonment. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.85,000/- and in default to undergo simple imprisonment for two months. The revision petitioner is granted three months time to pay the amount of compensation to the complainant. He shall appear before the Judicial Magistrate of First Class-II, Perambra on 14-5-2007 to receive the sentence. The Crl.R.P.is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

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